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SENSITIVE
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SUBJECT: COLOMBIA: UN FIELD COVERAGE OF HUMAN RIGHTS

REF: SECSTATE 2023

SUMMARY

1. (SBU) The Office of the High Commissioner for Human Rights (OHCHR) has ready access to the GOC as an advisor and advocate on human rights issues. The OHCHR successfully influenced GOC reforms on key issues, such as the Justice and Peace Law and the Code of Military Justice, and works closely with the USG to address common human rights concerns. The Office's continued relevance requires a permanent local representative who will maintain constructive relationships and communication channels with the GOC, civil society, human rights groups, and the international community. A USAID earmark grant to the OHCHR Colombia Mission will increase to 744,000 USD in 2009; OHCHR has had difficulties programming USAID's resources within the timeframes required by USG regulations. End Summary

2. (U) The OHCHR Colombia field mission currently has a staff of 75, comprised of 31 international and 44 local staff. Its offices are in Bogota, Cali, Medellin, and Bucaramanga. Last year the field mission launched a satellite office seven days a month in Arauca in the UN High Commissioner for Refugees mission's regional office. The OHCHR 2009 budget is 8.1 million USD.

Strong Access to GOC

3. (U) The OHCHR works as a legal advisor, neutral observer, technical assistance provider, human rights advocate and educator. The Office has good access to the GOC and works closely with the Defense Ministry, Interior and Justice Ministry (MOIJ), the Prosecutor General's Office (Fiscalia), the Inspector General (Procuraduria), and the Human Rights Ombudsman (Defensoria). The OHCHR has successfully influenced GOC reforms in key areas such as the Justice and Peace Law, and the Military Criminal Justice Code. It provides training and cooperation on military justice reform and participates in a high-level Defense Ministry committee that addresses extrajudicial killing committed by GOC security forces. OHCHR also provides technical support to the Fiscalia, Procuraduria, Defensoria, and MOIJ in key areas such as protection and investigations.

Valuable Partner to NGOs and International Community

4. (U) As a neutral observer, the OHCHR serves as a bridge

between human rights groups, victims, the international community, and the GOC. The Office monitors victims hearings and conducts its own investigations into specific cases. Its credibility and advocacy work have helped focus public and GOC attention on key issues such as extrajudicial killings, press freedom, and the rights of Afro-Colombians and indigenous groups. The field mission also works with civil society, human rights groups, and international organizations to educate members of the public on their rights and to press for greater resources for the victims of Colombia's conflict.

15. (U) USAID provided earmark funding to support the general mandate of the OHCHR Colombia field mission in 2007 and 2008. This grant will increase to 744,000 USD in 2009. Still, earmark funding has created difficulties for the Office in the past, because Geneva controls all funding decisions. As a result, disbursements have often been delayed significantly. OHCHR's weak capacity in Bogota to absorb funding and program grants at the speed required under USG earmark funding is also a concern.

16. (U) OHCHR is a strong and collaborative partner with the Embassy. Its personnel regularly exchange information with Embassy officers and its regional officers are an invaluable source of data on the human rights situation outside of Bogota. The OHCHR works closely with the Embassy to improve the Colombian military's human rights performance, including the sensitive issue of extrajudicial killings. For example, the Office provided planning assistance and speakers for a two-day conference on Human Rights and International Humanitarian Law organized by the Embassy for Fiscalía, Defense Ministry and military personnel.

Credibility Key to Success

17. (SBU) The OHCHR's capacity to achieve concrete improvements in Colombia's human rights situation depends on its ability to maintain its reputation as a credible, objective actor with open lines of communication to the GOC, civil society, and the international community. This is often difficult to do in Colombia's highly polarized political environment, where all sides push the Office to take positions that advance their particular agenda. Maintaining the OHCHR's credibility requires a local representative with extensive experience working in conflict situations, detailed knowledge of human rights issues, and deft diplomatic skills.

BROWNFIELD